

# Senate File 145 - Introduced

SENATE FILE 145  
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO SSB 1026)

## A BILL FOR

1 An Act relating to the confidentiality of information filed  
2 with the court for the purpose of securing an arrest  
3 warrant.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 804.29, subsection 2, paragraph a, Code  
2 2013, is amended to read as follows:

3 a. A peace officer, or any other employee of a law  
4 enforcement agency if allowed access pursuant to section 692.14  
5 and if authorized in writing by the head of the agency.

6 EXPLANATION

7 This bill relates to the confidentiality of information  
8 filed with the court for the purpose of securing an arrest  
9 warrant.

10 Current law provides that, unless otherwise ordered by the  
11 court, all information filed with the court for the purpose of  
12 securing a warrant for an arrest, including but not limited to  
13 a citation and affidavits, is a confidential record until a  
14 peace officer has made the arrest and has returned the warrant,  
15 or the defendant has made an initial appearance in court.  
16 During the period of time such information is confidential, the  
17 record is sealed by the court and the information contained  
18 in the record cannot be disseminated to any person unless  
19 otherwise ordered by the court. However, during the period of  
20 confidentiality, a peace officer, an employee of the county  
21 attorney's office, a judicial officer or other court employee,  
22 or an employee of the department of corrections or judicial  
23 district department of correctional services, if authorized  
24 by the director of the department of corrections, may receive  
25 such confidential information without a court order during the  
26 course of such person's official duties. The bill additionally  
27 authorizes an employee of a law enforcement agency, if allowed  
28 access pursuant to Code section 692.41 and if authorized in  
29 writing by the head of the agency, to receive such confidential  
30 information without a court order during the course of the  
31 employee's official duties. Under Code section 692.14, the  
32 department of public safety regulates access to the criminal  
33 justice information system.